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UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA

CHAPTER 13 PLAN AND RELATED MOTIONS

Case No: 12-33240

This plan, dated	5/25/2012 , is:
	the <i>first</i> Chapter 13 plan filed in this case. a modified Plan, which replaces the □confirmed or □unconfirmed Plan dated. Date and Time of Modified Plan Confirming Hearing: Place of Modified Plan Confirmation Hearing:
	e Plan provisions modified by this filing are: editors affected by this modification are:

Timika Rochell Dickerson-Chambers

NOTICE: YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully. If you oppose any provision of this Plan, or if you oppose any included motions to (i) value collateral, (ii) avoid liens, or (iii) assume or reject unexpired leases or executory contracts, you MUST file a timely written objection.

This Plan may be confirmed and become binding, and the included motions in paragraphs 3, 6, and 7 to value collateral, avoid liens, and assume or reject unexpired leases or executory contracts may be granted, without further notice or hearing unless a written objection is filed not later than seven (7) days prior to the date set for the confirmation hearing and the objecting party appears at the confirmation hearing.

The debtor(s)' schedules list assets and liabilities as follows:

Total Assets: \$5,080.00

Name of Debtor(s):

Total Non-Priority Unsecured Debt: \$31,839.00

Total Priority Debt: **\$7,110.00** Total Secured Debt: **\$3,600.00**

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- 1. Funding of Plan. The debtor(s) propose to pay the trustee the sum of \$325.00 Monthly for 60 months. Other payments to the Trustee are as follows: NONE . The total amount to be paid into the plan is \$ 19,500.00 .
- 2. **Priority Creditors.** The Trustee shall pay allowed priority claims in full unless the creditor agrees otherwise.
 - A. Administrative Claims under 11 U.S.C. § 1326.
 - 1. The Trustee will be paid the percentage fee fixed under 28 U.S.C. § 586(e), not to exceed 10%, of all sums disbursed except for funds returned to the debtor(s).
 - 2. Debtor(s)' attorney will be paid \$ 2,991.00 balance due of the total fee of \$ 3,000.00 concurrently with or prior to the payments to remaining creditors.
 - B. Claims under 11 U.S.C. §507.

The following priority creditors will be paid by deferred cash payments pro rata with other priority creditors or in monthly installments as below, except that allowed claims pursuant to 11 U.S.C. § 507(a)(1) will be paid prior to other priority creditors but concurrently with administrative claims above:

Creditor	Type of Priority	Estimated Claim	Payment and Term
Child Support Comm Of Va	Domestic support obligations	3,956.00	Prorata
			40 months
Commonwealth of Virginia	Taxes and certain other debts	221.00	Prorata
			40 months
Internal Revenue Service	Taxes and certain other debts	2,857.00	Prorata
			40 months
Spotsylvania County Treasurer	Taxes and certain other debts	76.00	Prorata
			40 months

- 3. Secured Creditors: Motions to Value Collateral ("Cramdown"), Collateral being Surrendered, Adequate Protection Payments, and Payment of certain Secured Claims.
 - A. Motions to Value Collateral (other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) or by the final paragraph of 11 U.S.C. § 1325(a)). Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion to value collateral as set forth herein.

This section deals with valuation of certain claims secured by real and/or personal property, other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) [real estate which is debtor(s)' principal residence] or by the final paragraph of 11 U.S.C. § 1325(a) [motor vehicles purchased within 910 days or any other thing of value purchased within 1 year before filing bankruptcy], in which the replacement value is asserted to be less than the amount owing on the debt. Such debts will be treated as secured claims only to the extent of the replacement value of the collateral. That value will be paid with interest as provided in sub-section D of this section. You must refer to section 3(D) below to determine the interest rate, monthly payment and estimated term of repayment of any "crammed down" loan. The deficiency balance owed on such a loan will be treated as an unsecured claim to be paid only to the extent provided in section 4 of the Plan. The following secured claims are to be "crammed down" to the following values:

<u>Creditor</u> <u>Collateral</u> <u>Purchase Date</u> <u>Est Debt Bal.</u> <u>Replacement Value</u> -NONE-

B. Real or Personal Property to be Surrendered.

Upon confirmation of the Plan, or before, the debtor(s) will surrender his/her/their interest in the collateral securing the claims of the following creditors in satisfaction of the secured portion of such creditors' allowed claims. To the extent that the collateral does not satisfy the claim, any timely filed deficiency claim to which the creditor is entitled may be paid as a non-priority unsecured claim. Confirmation of the Plan shall terminate the automatic stay as to the interest of the debtor(s) and the estate in the collateral.

<u>Creditor</u> <u>Collateral Description</u> <u>Estimated Value</u> <u>Estimated Total Claim</u>

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C. Adequate Protection Payments.

The debtor(s) propose to make adequate protection payments required by 11 U.S.C. § 1326(a) or otherwise upon claims secured by personal property, until the commencement of payments provided for in sections 3(D) and/or 6(B) of the Plan, as follows:

Creditor Collateral Description Collateral Description Adeq. Protection Monthly Payment To Be Paid By

Westlake Financial Svc 2000 Ford Explorer (Mileage 300,000) NADA Value

To Be Paid By

100.00

Any adequate protection payment upon an unexpired lease of personal property assumed by the debtor(s) pursuant to section 6(B) of the Plan shall be made by the debtor(s) as required by 11 U.S.C. § 1326(a)(1)(B) (payments coming due after the order for relief).

D. Payment of Secured Claims on Property Being Retained (except only those loans provided for in section 5 of the Plan):

This section deals with payment of debts secured by real and/or personal property [including short term obligations, judgments, tax liens and other secured debts]. After confirmation of the Plan, the Trustee will pay to the holder of each allowed secured claim, which will be either the balance owed on the indebtedness or, where applicable, the collateral's replacement value as specified in sub-section A of this section, whichever is less, with interest at the rate provided below, the monthly payment specified below until the amount of the secured claim has been paid in full. Upon confirmation of the Plan, the valuation and interest rate shown below will be binding unless a timely written objection to confirmation is filed with and sustained by the Court.

Approx. Bal. of Debt or Interest Creditor Collateral Monthly Paymt & Est. Term** "Crammed Down" Value Rate 2000 Ford Explorer (Mileage 105.51 Westlake 4.559.00 5.25% **Financial Svc** 300,000) 48 months **NADA Value**

E. Other Debts.

Debts which are (i) mortgage loans secured by real estate which is the debtor(s)' primary residence, or (ii) other long term obligations, whether secured or unsecured, to be continued upon the existing contract terms with any existing default in payments to be cured pursuant to 11 U.S.C. § 1322(b)(5), are provided for in section 5 of the Plan.

4. Unsecured Claims.

- B. Separately classified unsecured claims.

<u>Creditor</u> <u>Basis for Classification</u> <u>Treatment</u>

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5.	Mortgage Loans Secured by Real Property Constituting the Debtor(s)' Primary Residence; Other Long Term
	Payment Obligations, whether secured or unsecured, to be continued upon existing contract terms; Curing of any
	existing default under 11 U.S.C. § 1322(b)(5).

A. Debtor(s) to make regular contract payments; arrears, if any, to be paid by Trustee. The creditors listed below will be paid by the debtor(s) pursuant to the contract without modification, except that arrearages, if any, will be paid by the Trustee either pro rata with other secured claims or on a fixed monthly basis as indicated below, without interest unless an interest rate is designated below for interest to be paid on the arrearage claim and such interest is provided for in the loan agreement.

		Regular		Arrearage	D 1	Monthly
Creditor	Collateral	Contract	Estimated	Interest	Estimated Cure Period	Arrearage
NONE-	Conateral	<u>Payment</u>	Arrearage	Rate	Cure Feriou	Payment
В.	Trustee to make contract payments a regular contract monthly payments that debts shall be cured by the Trustee either below.	come due during the per	iod of this Plan,	and pre-p	etition arrearag	ges on such
Creditor NONE-	<u>Collateral</u>	Regular Contract <u>Payment</u>	Estimated Arrearage	Interest Rate	Term for Arrearage	Monthly Arrearage Payment
C.	Restructured Mortgage Loans to be proceed to the constituting the debtor(s)' principal residual payment under the Plan is due shall be present the specific payment at the rate specific payment under the Plan is due shall be presented by the proceeding the proceeding the proceeding the proceeding the procedure of the procedure o	dence upon which the last paid by the Trustee during	st scheduled cor	itract payn	nent is due befo	ore the final
Creditor -NONE-	<u>Collateral</u>	Interest Rate	Estimated Claim		thly Paymt& Es	st. Term**

- **6. Unexpired Leases and Executory Contracts.** The debtor(s) move for assumption or rejection of the executory contracts and leases listed below.
 - A. Executory contracts and unexpired leases to be rejected. The debtor(s) reject the following executory contracts.

Creditor -NONE-

Type of Contract

B. Executory contracts and unexpired leases to be assumed. The debtor(s) assume the following executory contracts. The debtor agrees to abide by all terms of the agreement. The Trustee will pay the pre-petition arrearages, if any, through payments made pro rata with other priority claims or on a fixed monthly basis as indicated below.

-NONE-			10111110	
Creditor	Type of Contract	Arrearage	Payment for Arrears	Estimated Cure Period
			Monthly	

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7.	Laens	- Which	Debtor(s)	Seek to	Avoid.

A. The debtor(s) move to avoid liens pursuant to 11 U.S.C. § 522(f). The debtor(s) move to avoid the following judicial liens and non-possessory, non-purchase money liens that impair the debtor(s)' exemptions. Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion and cancel the creditor's lien. If an objection is filed, the Court will hear evidence and rule on the motion at the confirmation hearing.

Creditor -NONE-

Collateral

Exemption Amount

Value of Collateral

B. Avoidance of security interests or liens on grounds other than 11 U.S.C. § 522(f). The debtor(s) have filed or will file and serve separate pleadings to avoid the following liens or security interests. The creditor should review the notice or summons accompanying such pleadings as to the requirements for opposing such relief. The listing here is for information purposes only.

Creditor -NONE-

Type of Lien

Description of Collateral

Basis for Avoidance

- 8. Treatment and Payment of Claims.
 - All creditors must timely file a proof of claim to receive payment from the Trustee.
 - If a claim is scheduled as unsecured and the creditor files a claim alleging the claim is secured but does not timely object to confirmation of the Plan, the creditor may be treated as unsecured for purposes of distribution under the Plan. This paragraph does not limit the right of the creditor to enforce its lien, to the extent not avoided or provided for in this case, after the debtor(s) receive a discharge.
 - If a claim is listed in the plan as secured and the creditor files a proof of claim alleging the claim is unsecured, the creditor will be treated as unsecured for purposes of distribution under the Plan.
 - The Trustee may adjust the monthly disbursement amount as needed to pay an allowed secured claim in full.
- 9. Vesting of Property of the Estate. Property of the estate shall revest in the debtor(s) upon confirmation of the Plan. Notwithstanding such vesting, the debtor(s) may not sell, refinance, encumber real property or enter into a mortgage loan modification without approval of the Court after notice to the Trustee, any creditor who has filed a request for notice and other creditors to the extent required by the Local Rules of this Court.
- 10. Incurrence of indebtedness. The debtor(s) shall not voluntarily incur additional indebtedness exceeding the cumulative total of \$5,000 principal amount during the term of this Plan, either unsecured or secured against personal property, except upon approval of the Court after notice to the Trustee, any creditor who has filed a request for notice, and other creditors to the extent required by the Local Rules of this Court.
- 11. Other provisions of this plan:

Signatures:	
Dated: <u>5/25/2012</u>	
/s/ Timika Rochell Dickerson-Chambers	/s/ Roger C. Hurwitz
Timika Rochell Dickerson-Chambers	Roger C. Hurwitz VSB#51016
Debtor	Debtor's Attorney

Exhibits: Copy of Debtor(s)' Budget (Schedules I and J);

Matrix of Parties Served with Plan

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Certificate of Service

I certify that on <u>5/25/2012</u>, I mailed a copy of the foregoing to the creditors and parties in interest on the attached Service List.

/s/ Roger C. Hurwitz
Roger C. Hurwitz VSB#51016
Signature

4036 Plank Rd
Fredericksburg, VA 22407
Address

(540)412-1463
Telephone No.

Ver. 09/17/09 [effective 12/01/09]

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B6I (Offi	cial Form 6I) (12/07)			
In re	Timika Rochell Dickerson-Chambers		Case No.	12-33240
		Debtor(s)		

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENI	DENTS OF DEBTOR AN	D SPOUSE		
Divorced	RELATIONSHIP(S): Daughter	AGE	(S): 3 Years		
Employment:	DEBTOR		SPOUSE		
	PN				
Name of Employer Fa	alls Run Rehab/ Nursing Home				
How long employed 12	2 Months				
	10 Brimley Drive				
	edericksburg, VA 22406				
	ojected monthly income at time case filed)		DEBTOR	ф	SPOUSE
	ommissions (Prorate if not paid monthly)		\$ 4,219.00	\$	N/A
2. Estimate monthly overtime			\$	\$	N/A
3. SUBTOTAL			\$ 4,219.00	\$	N/A
4. LESS PAYROLL DEDUCTIONS		_			
a. Payroll taxes and social securi	ty		\$ 719.00	\$	N/A
b. Insurance	•		\$ 288.00	\$	N/A
c. Union dues			\$ 0.00	\$	N/A
d. Other (Specify): Child	Support		\$ 1,120.00	\$	N/A
			\$ 0.00	\$	N/A
5. SUBTOTAL OF PAYROLL DEDU	ICTIONS	Γ	\$ 2,127.00	\$	N/A
6. TOTAL NET MONTHLY TAKE H	OME PAY		\$ 2,092.00	\$	N/A
7. Regular income from operation of b	usiness or profession or farm (Attach detai	ed statement)	\$ 0.00	\$	N/A
8. Income from real property	•	,	\$ 0.00	\$	N/A
9. Interest and dividends			\$ 0.00	\$	N/A
dependents listed above	payments payable to the debtor for the debt		\$ 180.00	\$	N/A
11. Social security or government assis	stance				
(Specify):			\$ <u>0.00</u>	\$	N/A
10. P			\$ 0.00	\$	N/A
12. Pension or retirement income			\$ 0.00	» —	N/A
13. Other monthly income (Specify):			\$ 0.00	\$	N/A
(Specify).			\$ 0.00	\$ 	N/A
14. SUBTOTAL OF LINES 7 THROU	JGH 13		\$ 180.00	\$	N/A
15. AVERAGE MONTHLY INCOME	E (Add amounts shown on lines 6 and 14)		\$ 2,272.00	\$	N/A
16. COMBINED AVERAGE MONTH	HLY INCOME: (Combine column totals from	om line 15)	\$	2,272.0	00

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

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B6J (Off	cial Form 6J) (12/07)			
In re	Timika Rochell Dickerson-Chambers		Case No.	12-33240
		Debtor(s)		

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time

case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 2	y rate. The av	
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Compexpenditures labeled "Spouse."		e schedule of
Rent or home mortgage payment (include lot rented for mobile home)	\$	0.00
a. Are real estate taxes included? Yes NoX	Ψ	
b. Is property insurance included? Yes No X		
2. Utilities: a. Electricity and heating fuel	\$	130.00
b. Water and sewer	\$	47.00
c. Telephone	\$	61.00
d. Other See Detailed Expense Attachment	\$	150.00
3. Home maintenance (repairs and upkeep)	\$	20.00
4. Food	\$	450.00
5. Clothing	\$	100.00
6. Laundry and dry cleaning7. Medical and dental expenses	\$	30.00 50.00
8. Transportation (not including car payments)	φ •	350.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	25.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)	Ψ	
a. Homeowner's or renter's	\$	0.00
b. Life	\$	0.00
c. Health	\$	0.00
d. Auto	\$	91.00
e. Other	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)	Φ.	40.00
(Specify) Personal Property Tax	\$	10.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	0.00
b. Other	\$	0.00
c. Other	\$	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other Child Care	\$	433.00
Other	\$	0.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and,	, \$	1,947.00
if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)		
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:		
	<u></u>	
20. STATEMENT OF MONTHLY NET INCOME		
a. Average monthly income from Line 15 of Schedule I	\$	2,272.00
b. Average monthly expenses from Line 18 above	\$	1,947.00
c Monthly net income (a minus b)	S	325.00

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B6J (Offi	cial Form 6J) (12/07)				
In re	Timika Rochell Dickerson-Chambers		Case No.	12-33240	
		Debtor(s)		_	•

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S) Detailed Expense Attachment

Other Utility Expenditures:

Alarm System	\$	29.00
Gas	<u> </u>	100.00
Trash Pick up	\$	21.00
Total Other Utility Expenditures	\$	150.00

Areem Chambers 365 Georgetown Loop Newport News, VA 23608

Capio Partners Llc 2222 Texoma Pkwy Ste 150 Sherman, TX 75090

Cardio Vascular Cntr of Hampto 4000 Coliseum Drive # 210 Hampton, VA 23666

Central Park Dental 1340 Central Park Blvd #200 Fredericksburg, VA 22401

Child Support Comm Of Va Bk Unit/DCSE 2001 Maywill St Ste. 104 Richmond, VA 23230

Commonwealth of Virginia Dept of Taxation PO Box 1115 Richmond, VA 23218-1115

Credit Control Corp 11821 Rock Landing Dr Newport News, VA 23606

Enhanced Recovery Corp Attention: Client Services 8014 Bayberry Rd Jacksonville, FL 32256

Equidata
Attn: Bankruptcy
Po Box 6610
Newport News, VA 23606

Focuses Recovery Solutions Inc 9701 Metropolitan Court Suite B Richmond, VA 23236 Geico C/O Chaplin & Gonet 5211 W. Broad St., Ste 100 Richmond, VA 23230

Golds Gym 2380 Plank Rd Fredericksburg, VA 22401

Internal Revenue Service 400 N 8th Street, Box 76 Stop Room 898 Richmond, VA 23219

Portfolio Rc Attn: Bankruptcy Po Box 41067 Norfolk, VA 23541

Rapidan Medical Center P.O. Box 1276 Locust Grove, VA 22508

Riverside Medical Center 575 Underhill Blvd Syosset, NY 11791

Ronald L. Tankersley DDS. 716 Denbigh Boulevard Suite C1 Newport News, VA 23608

Sheridan Rad SVCS Of Virginia P.O. Box 452467 Fort Lauderdale, FL 33345

Spotsylvania County Treasurer P.O. Box 65 Spotsylvania, VA 22553

Spotsylvania Regional Med Cntr PO Box 740760 Cincinnati, OH 45274-0760 Sprint Attn: Bankruptcy Dept 4900 W. 95th Street Oak Lawn, IL 60453

Tidewater Finance Company 6520 Indian River Road Virginia Beach, VA 23464

Tidewater Motor Credit 6520 Indian River Rd Virginia Beach, VA 23464

United Consumers 14205 Telegragh Rd Woodbridge, VA 22192

Vision Finance 4 West Red Oak Lan White Plains, NY 10604

Westlake Financial Svc 4751 Wilshire Blvd Suite 100 Los Angeles, CA 90010